

Kansas Department of Health and Environment
Bureau of Waste Management Policy 06-01

Mixtures of Used Oil and Hazardous Waste

Purpose

The purpose of this policy is to remedy the current conflict between the Kansas and Federal regulations concerning mixtures of used oil and hazardous waste.

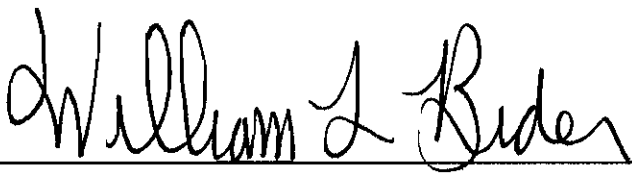
Background

The Environmental Protection Agency has established management standards for used oil. 40 CFR Part 279.10(b)(2) allows *some* (but not all) mixtures of hazardous waste and used oil to be regulated as used oil rather than as hazardous waste.

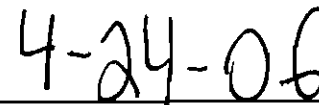
Kansas has adopted the Federal used oil regulations in K.A.R. 28-31-16. But there is another Kansas regulation that also addresses mixtures of hazardous waste and used oil. Under K.A.R. 28-31-4(p)(3)(B), if a Kansas or EPA generator mixes listed or characteristic hazardous waste with used oil, the resultant mixture is a listed or characteristic hazardous waste. Consequently, except for small quantity generators, *all* mixtures of hazardous waste and used oil are subject to hazardous waste regulations.

Action

The Bureau of Waste Management proposes to change the current, stricter, State regulation to mirror the Federal regulations concerning mixtures of used oil and hazardous waste. Until these regulatory changes can be implemented, the State will allow generators to comply with the Federal regulations regarding the mixing of used oil and hazardous waste as described in 40 CFR 279.



William L. Bider
Director, Bureau of Waste Management



Date